

**State of California
AIR RESOURCES BOARD**

EXECUTIVE ORDER G-07-045

**Relating to Certification of Portable Fuel Containers, Spouts or Portable
Fuel Containers and Spouts**

Scepter Corporation

**Petroleum Product Portable Fuel Containers: 5.0-gallons, 5.3-gallons, 2.5-
gallons, 1.32-gallons, and 0.66-gallons for gasoline; 5.0-gallons for diesel
fuel; and 5.0-gallons for kerosene all with either Model 05431 ECO Spouts
or Model 07609 ECO Spouts**

WHEREAS, the California Air Resources Board (ARB) has established, pursuant to California Health and Safety Code sections 39600, 39601, 43013, 43018 and 43101, criteria for obtaining certification of a portable fuel container, spout, or a portable fuel container and spout in "CP-501, Certification Procedure for Portable Fuel Containers and Spill-Proof Spouts," adopted July 26, 2006, incorporated by reference into title 13, California Code of Regulations sections 2467.2 and 2467.8;

WHEREAS, "CP-501, Certification Procedure for Portable Fuel Containers and Spill-Proof Spouts," adopted July 26, 2006, (hereinafter "Certification Procedure") incorporated by reference into title 13, California Code of Regulations sections 2467.2 and 2467.8, requires that an application for certification include the results for each test specified in ARB's Test Procedure TP-501, Test Procedure for Determining Integrity of Spill-Proof Spouts and Spill-Proof Systems (July 26, 2006), and ARB Test Procedure TP-502, Test Procedure for Determining Diurnal Emissions from Portable Fuel Containers (July 26, 2006);

WHEREAS, section 1 of the Certification Procedure provides that an Executive Order will only be issued for a portable fuel container, spout, or both portable fuel container and spout that demonstrates compliance with all applicable certification requirements;

WHEREAS, section 3 of the Certification Procedure requires an applicant to submit specified information in its application for certification;

WHEREAS, section 5 of the Certification Procedure provides that the ARB Executive Officer shall evaluate each application for certification of a spill-proof system or spill-proof spout to determine if the spill-proof system or spill-proof spout complies with the criteria for issuance of an executive order;

WHEREAS, Scepter Corporation has submitted an application for certification of the following products:

Petroleum Product Portable Fuel Containers:

5.0-gallons capacity gasoline container (Model AB205S),
5.3-gallons capacity gasoline container (Model AB20S),
5.0-gallons capacity gasoline container (Model RV520S),
2.5-gallons capacity gasoline container (Model AB10S),
1.32-gallons capacity gasoline container (Model AB5S),
0.66-gallons capacity gasoline container (Model J63S),
5.0-gallons capacity diesel fuel container (Model D205S),
5.0-gallons capacity diesel fuel container (Model D520S), and
5.0-gallons capacity kerosene container (Model K205S)
each with Model 05431 ECO Spouts: (hereinafter referred to as "Portable Fuel Container system", or "PFCs");

WHEREAS, Scepter Corporation has submitted data generated from each test specified in ARB Test Procedure TP-501, Test Procedure for Determining Integrity of Spill-Proof Spouts and Spill-Proof Systems (July 26, 2006) and ARB Test Procedure TP-502, Test Procedure for Determining Diurnal Emissions from Portable Fuel Containers (July 26, 2006) that demonstrates its PFCs comply with the criteria specified in section 2 of the Certification Procedure;

WHEREAS, Scepter Corporation has submitted information demonstrating that its PFCs comply with the requirements of American Society for Testing and Materials Standards (ASTM) F-852-99 (March 10, 1999) and ASTM F-976-02 (May 10, 2002);

WHEREAS, Scepter Corporation has submitted a copy of the warranty language and operating instructions specified in section 2 of the Certification Procedure;

WHEREAS, Scepter Corporation is not participating in the Optional Consumer Acceptance Program for its PFCs;

WHEREAS, Scepter Corporation has submitted all of the information specified in section 3 of the Certification Procedure in its application for certification of its PFCs; and

WHEREAS, Scepter Corporation's application for certification of its PFCs has been evaluated, and its PFCs have been found to comply with the criteria for the issuance of an executive order;

NOW THEREFORE, pursuant to the authority vested in ARB by sections 39600, 39601, 43013, 43018 and 43101 of the Health and Safety Code, and pursuant to

the authority vested in the undersigned by sections 39515 and 39516 of the Health and Safety Code and Executive Order G-07-002;

IT IS ORDERED AND RESOLVED that the PFCs produced by Scepter Corporation as described in its application for certification of said systems are hereby certified to meet the performance standards and administrative requirements applicable to portable fuel containers. Production systems shall be in all material respects the same as those for which certification is granted and shall meet all the certification requirements except for the optional consumer acceptance program;

IT IS FURTHER ORDERED that Scepter Corporation must comply with the administrative requirements specified in title 13, California Code of Regulations sections 2467.5;

IT IS FURTHER ORDERED that any alteration of the components or design of the PFCs certified hereby is prohibited and is inconsistent with this certification, unless said alteration has been approved by the Executive Officer or his or her designee;

IT IS FURTHER ORDERED that Scepter Corporation must supply a copy of the warranty language submitted in its application for certification for its PFCs in the packaging of each certified PFCs at the time of sale;

IT IS FURTHER ORDERED that Scepter Corporation must supply a copy of the operating instructions for each PFCs as submitted in its application for certification in the packaging of each certified PFCs at the time of sale;

IT IS FURTHER ORDERED that Scepter Corporation must supply any changes to the warranty language or the operating instructions to the Executive Officer for review and approval at least 30 days prior to implementation; and

IT IS FURTHER ORDERED that the Executive Officer may enjoin sales, assess penalties, or revoke or modify this certification as provided in CCR section 2467.9 if the Executive Officer determines that the product available for sale in California does not meet the certification requirements when tested in accordance with the "Certification and Compliance Test Procedures" as provided in CCR section 2467.9.

Executed at Sacramento, California this 3rd day of July 2007.

/S/
William V. Loscutoff, Chief

Monitoring and Laboratory Division